YOUTH ADVOCACY CENTRE INC

Free, confidential legal and social support services for young people.

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Submission by

YOUTH ADVOCACY CENTRE INC

to the

Justice, Integrity and Community Safety Committee

18 March 2026

The Youth Advocacy Centre (YAC) is a community legal centre and social welfare agency for children and young people aged 10-18 in Queensland, particularly those involved in the youth justice system.

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This Centre is accredited by NACLC National Association of Community Legal Centres

The Youth Advocacy Centre (YAC) appreciates the opportunity to provide submissions on the *Expanding Adult Crime, Adult Time and Taking a Strong Stance on Drugs and Anti-Social Behaviour Amendment Bill* 2026 (**the Bill**). YAC has extensive practical and direct experience of the matters addressed by this Bill.

As a starting point, YAC notes that, in relation to the Adult Crime, Adult Time (**ACAT**) laws, the Bill's "*negative impact on the rights of children likely outweighs the legitimate aims of punishment, denunciation and community safety*. "[1] In circumstances where the Bill's negative impacts on children are disproportionate, YAC calls for the Committee's report to justify its likely recommendation that the Bill be passed despite all available evidence showing that the ACAT laws are unlikely to significantly reduce youth crime long term.

Victims are best served by reducing crime in the first place. The ACAT laws' focus is on the period after a crime has been committed. There has been insufficient focus on the steps required to reduce crime: addressing domestic and family violence, supporting at-risk families, providing children with a safe home and access to sufficient mental health supports.

Lack of exceptional circumstances

The Bill provides for a further override of the *Human Rights Act* 2019 in relation to children.

It is the intention of Parliament that an override declaration under the *Human Rights Act* 2019[2] will only be made in exceptional circumstances such as war, a state of emergency or an exceptional crisis situation constituting a threat to public safety, health or order.

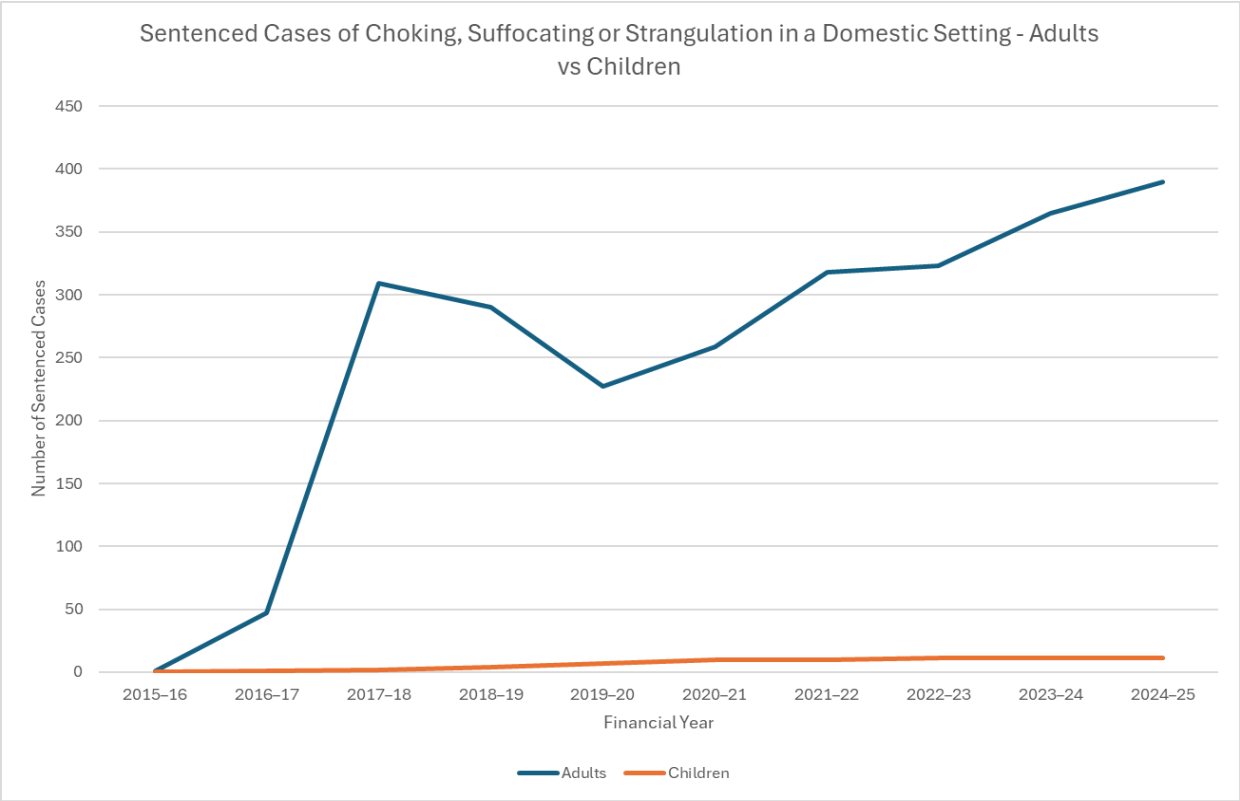
There are currently no exceptional circumstances to warrant this further override of the Human Rights Act. The Statement of Compatibility says that "the current situation with respect to youth crime in Queensland presents an exceptional crisis situation constituting a threat to public safety." This is simply untrue, particularly in relation to the following offences, for which we can find **no reported cases[3] of children being sentenced in the last 5 years:**

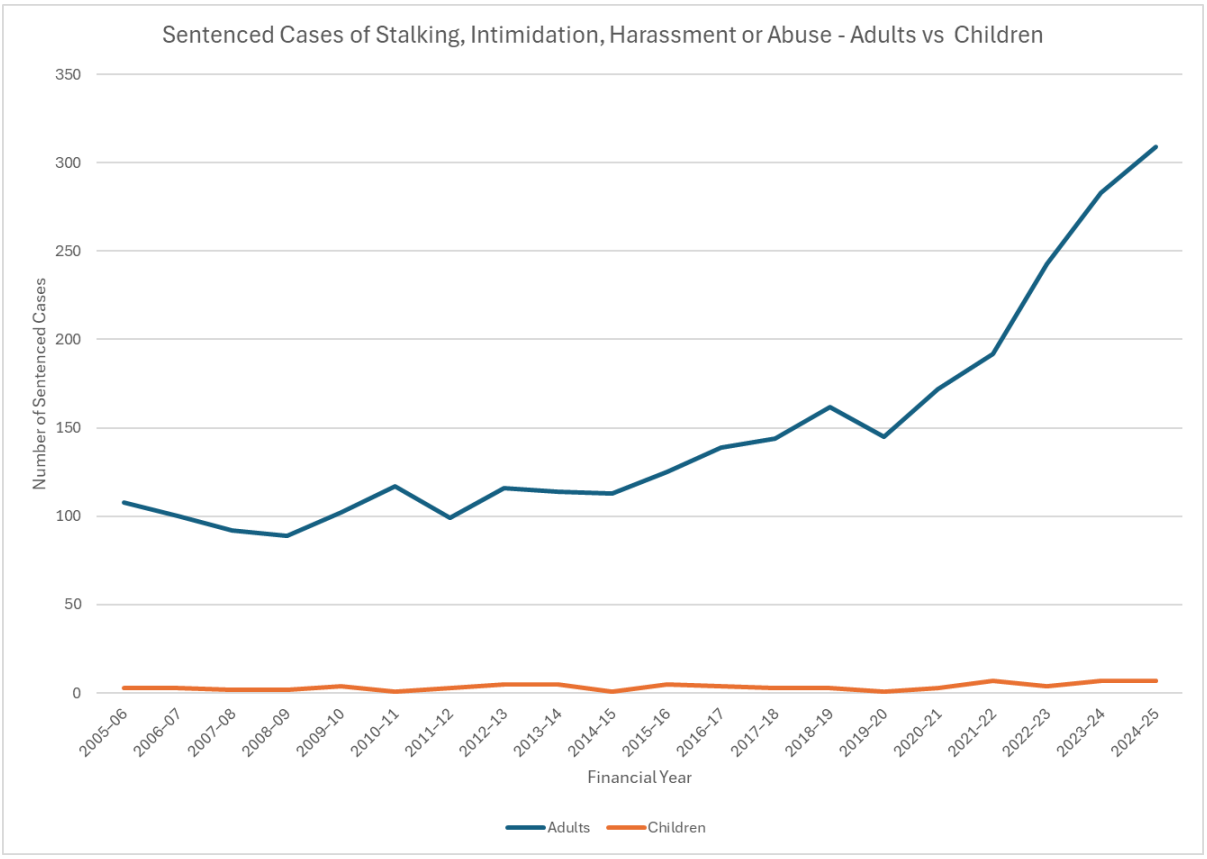
1. Riot
2. Abuse of persons with an impairment of the mind
3. Conspiring to murder
4. Aiding suicide
5. Disabling in order to commit an indictable offence
6. Stupefying in order to commit an indictable offence
7. Administering poison with intent to harm.

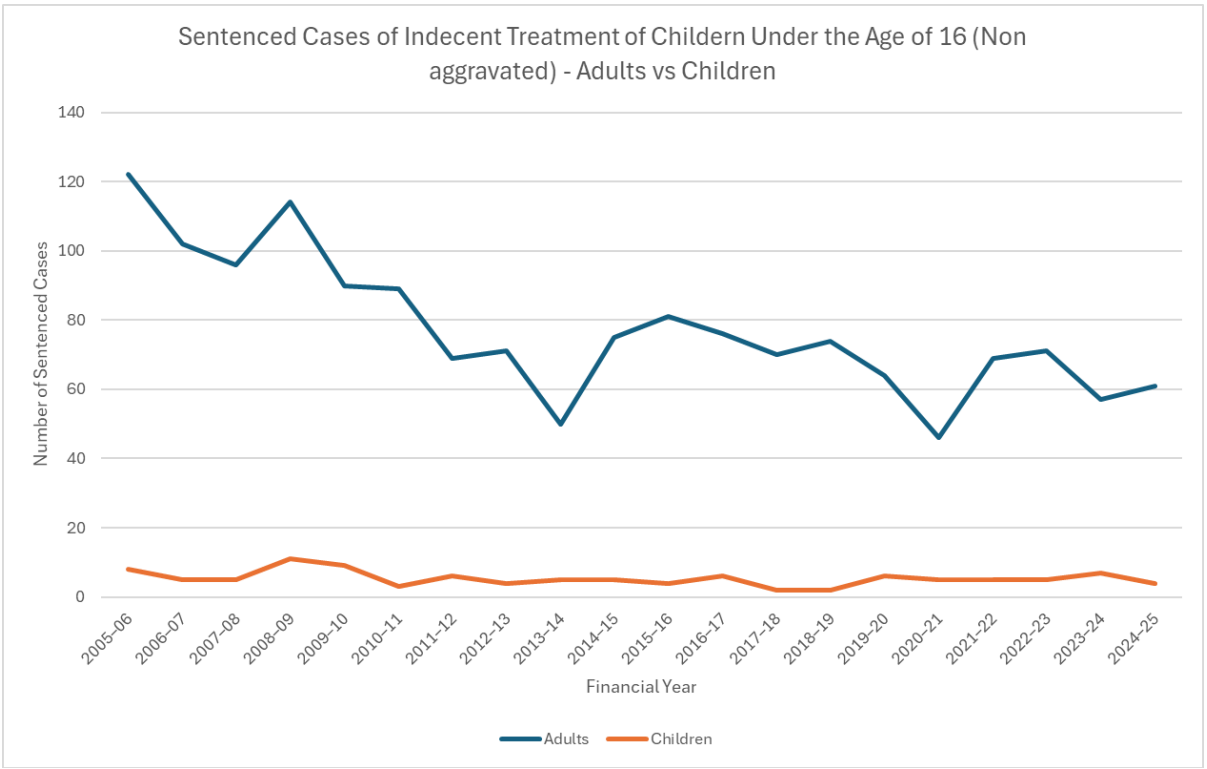
In relation to the remainder of the proposed offences, the portion of young people sentenced in Queensland for committing these crimes is a fraction of the number of adults being sentenced. If there is a crisis, it is the number of adults committing these crimes, particularly those associated with domestic and family violence and indecent treatment of children.

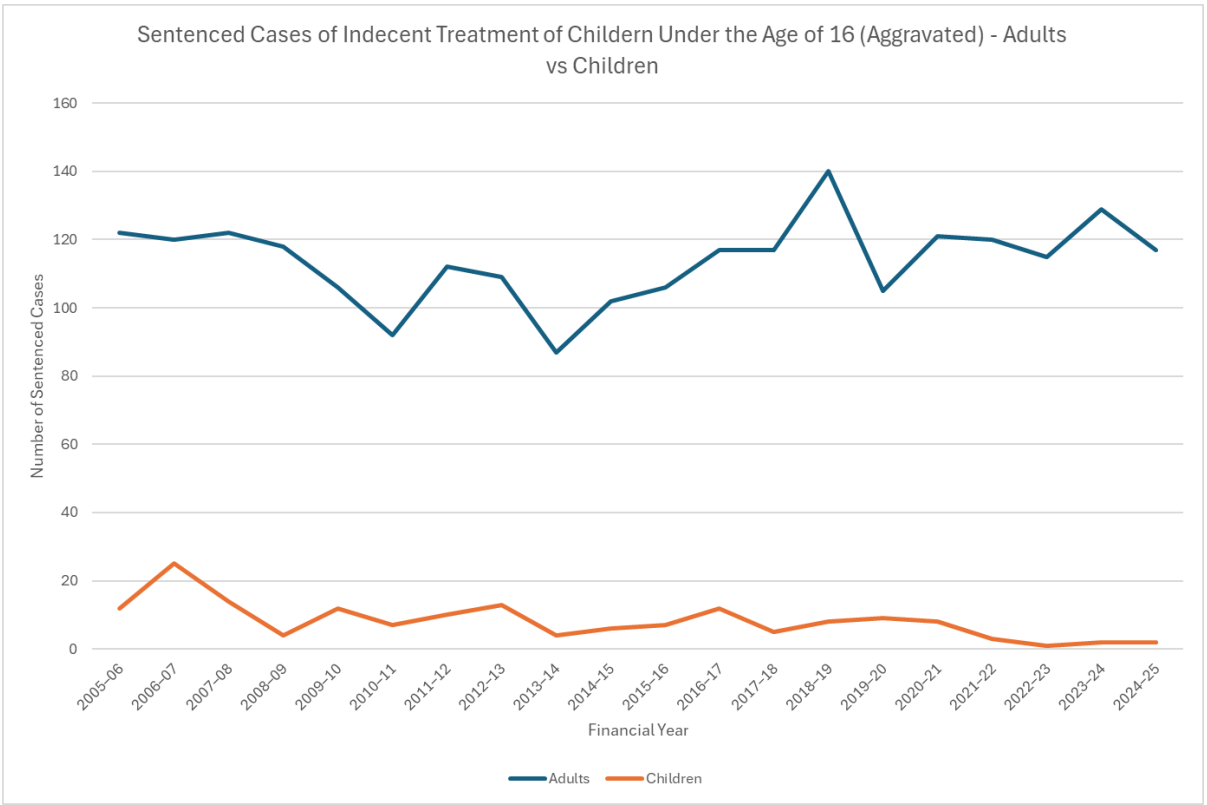
[1] Statement of Compatibility page 8.
[2] Section 43(4) of the *Human Rights Act* 2019.
[3] Based on data from the Queensland Sentencing Advisory Council and our own review of reported cases.

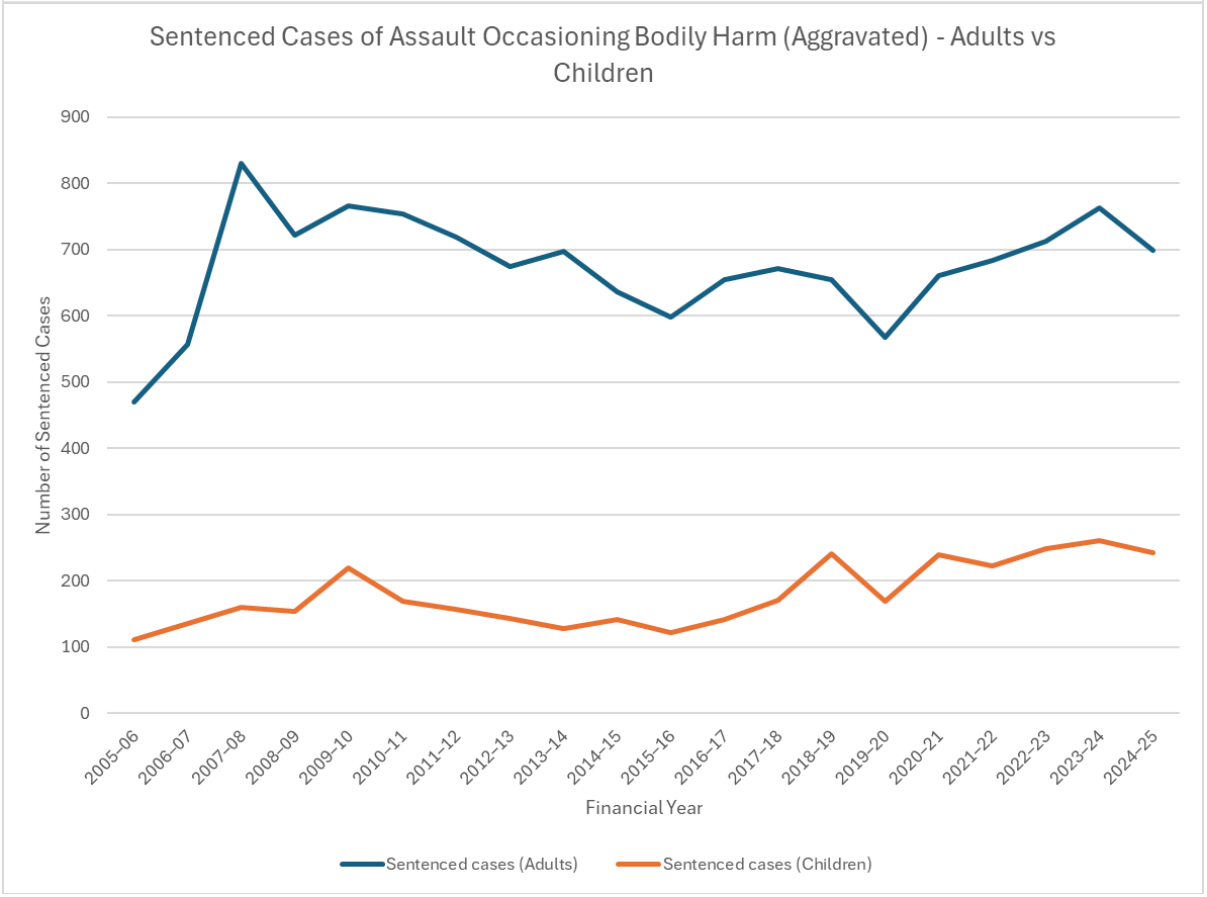
The below graphs, the data for which was produced by the Queensland Sentencing and Advisory Council, illustrate the position in relation to a number of the proposed ACAT offences. It is clear that adult time does not necessarily deter adults, let alone children.



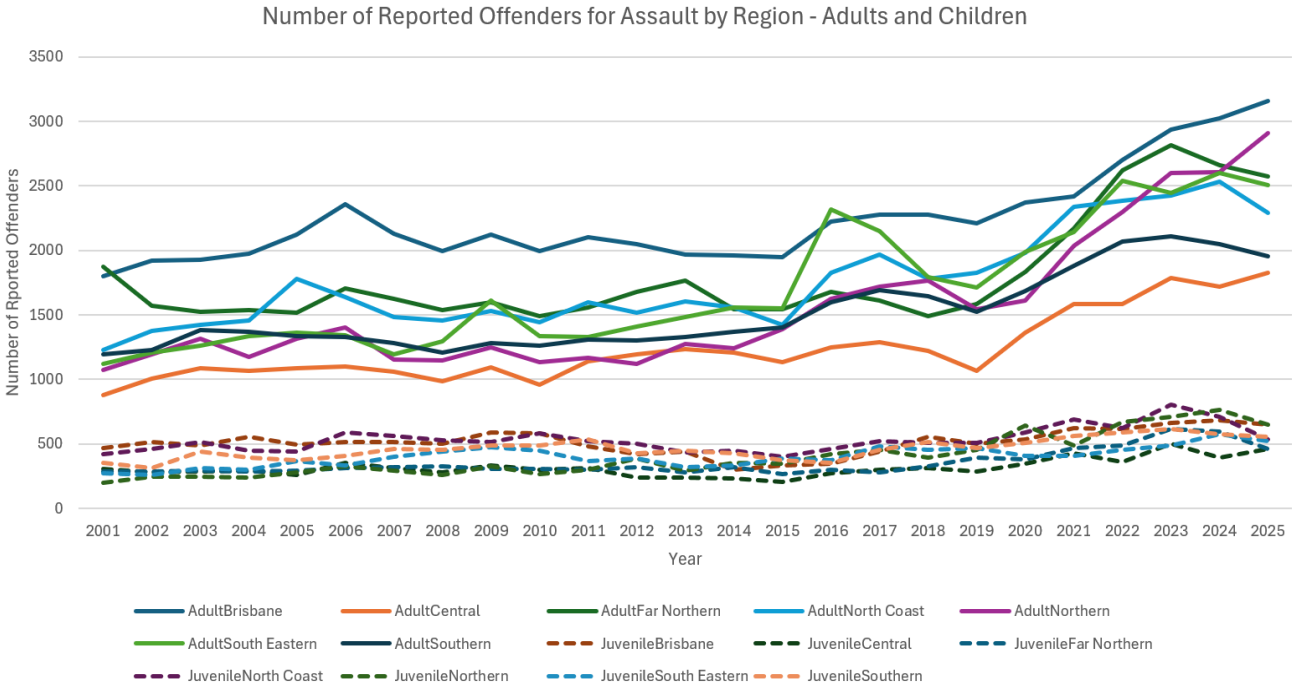

Sentenced Cases of Stalking, Intimidation, Harassment or Abuse - Adults vs Children
Number of Sentenced Cases
350
300
250
200
150
100
50
0
2005–06
2006–07
2007–08
2008–09
2009–10
2010–11
2011–12
2012–13
2013–14
2014–15
2015–16
2016–17
2017–18
2018–19
2019–20
2020–21
2021–22
2022–23
2023–24
2024–25
Financial Year
Adults
Children


Sentenced Cases of Indecent Treatment of Childern Under the Age of 16 (Non aggravated) - Adults vs Children
Number of Sentenced Cases
140
120
100
80
60
40
20
0
2005–06
2006–07
2007–08
2008–09
2009–10
2010–11
2011–12
2012–13
2013–14
2014–15
2015–16
2016–17
2017–18
2018–19
2019–20
2020–21
2021–22
2022–23
2023–24
2024–25
Financial Year
Adults
Children


Sentenced Cases of Indecent Treatment of Childern Under the Age of 16 (Aggravated) - Adults vs Children
Number of Sentenced Cases
160
140
120
100
80
60
40
20
0
2005-06
2006-07
2007-08
2008-09
2009-10
2010-11
2011-12
2012-13
2013-14
2014-15
2015-16
2016-17
2017-18
2018-19
2019-20
2020-21
2021-22
2022-23
2023-24
2024-25
Financial Year
Adults
Children


Sentenced Cases of Assault Occasioning Bodily Harm (Aggravated) - Adults vs Children
Number of Sentenced Cases
900
800
700
600
500
400
300
200
100
0
2005-06
2006-07
2007-08
2008-09
2009-10
2010-11
2011-12
2012-13
2013-14
2014-15
2015-16
2016-17
2017-18
2018-19
2019-20
2020-21
2021-22
2022-23
2023-24
2024-25
Financial Year
Sentenced cases (Adults)
Sentenced cases (Children)

As can be seen from the graph immediately above, in contrast to the other proposed ACAT offences, children are being sentenced for assault occasioning bodily harm (aggravated) in meaningful numbers. We've therefore considered the regional breakdown for this offence, based on the QPS region, in the next graph, below, which shows that this offence is most commonly occurring in Brisbane by adults. The data does not reveal a spike in offending by young people, but instead reveals an entrenched level of violence across the community that is not going to be addressed by ACAT, because despite adult time for adults, offending by adults continues to rise.



In relation to the remaining proposed ACAT offences:

1. *Choking, suffocating or strangulation in a domestic setting* – at least 55 children sentenced in the last five years.

   Most children sentenced for this offence have been the victims of domestic and family violence themselves. Until recently YAC was funded to provide the only domestic and family violence youth lawyer in Queensland, which represented child victims of family violence as well as offenders with a view to obtaining support to rehabilitate. Funding for this service recently ceased. Consequently, there is no funded youth domestic and family violence legal service in Queensland. One of YAC's existing children's lawyers works with children in the domestic violence jurisdiction to help address this unmet need and to protect the community from the consequences of domestic and family violence.

   Including domestic violence related offences ignores that:

   A. Detention does not act as a **deterrent** for impulsive, anger-fuelled offences as children have developmental immaturity, lack of emotional regulation and lack

of impulse control, particularly where domestic and family violence may be occurring; and

B. There remains a lack of specialised domestic and family violence supports for at-risk children experiencing domestic and family violence, and who may become offenders in the future. Alarmingly, this does not seem to be a priority for the government.

2. *Indecent treatment of children under the age of* 16
   A. aggravated – at least 16 children sentenced in the last five years;
   B. non-aggravated – at least 26 children sentenced.

   The number of children sentenced for indecent treatment of a child (aggravated) in recent years is at historically low levels. The cases tend to involve a child offending against a child relative, often in circumstances of family dysfunction. These cases are disturbing and the offending has life-long impact on the victims. Detention is highly unlikely to be a deterrent. Focusing on punishment won't prevent more children from becoming victims.

   Prevention of sexual reoffending must be prioritised by the government. Prevention requires the underlying risk factors be addressed through a highly specialised and evidence-based service such as Griffith Youth Forensic Service (**GYFS**)

   GYFS provides specialised treatment program for young people who have committed sexual offences. Participation in the GYFS program significantly reduces reoffending, particularly sexual recidivism: the rate of sexual reoffending can be up to 10 times lower after receiving treatment at GYFS[4] . Detention alone does not produce the same outcomes. The GYFS program should be expanded as a priority so that treatment can be provided to all children who would benefit, including at-risk children prior to offending escalation. Focusing on prevention via a service such as GYFS is a more cost-effective and protective measure than focusing on ACAT, and would result in fewer victims. Please see appendix 1 for further information about GYFS' impact.

   It is also worth noting that a child offending against a child can be distinguished from an adult offending against a child. The sentencing of these children should reflect this distinction, and the fact that an adult's offending against a child is much more serious, so that the adult sentencing regime is not undermined.

The children who commit the proposed ACAT offences almost invariably have experienced significant deprivation, abuse, violence, or have undiagnosed or untreated mental health issues. This is relevant because these crimes will continue to be committed by children until we properly protect each and every child in Queensland.

[4] Evidence Brief: Effectiveness of Griffith Youth Forensic Service in Reducing Sexual Recidivism Among Young People in Queensland. https://www.griffith.edu.au/__data/assets/pdf_file/0025/2242267/GYFS-Evidence-Brief-2025-4.pdf

Amendments to the operation of Jack's Law

YAC opposes the amendments to the operation Jack's Law as there is no justification or explanation of this creeping reduction in police accountability, and expansion of wanding locations. There is no justification, explanation, or analysis in the explanatory notes or statement of compatibility.

Children are particularly vulnerable to the power imbalance that exists between them and police officers. The explanatory notes acknowledge that this expansion of Jack's Law potentially breaches the rights and liberties of individuals through an interference with an individual's freedom of movement and right to privacy and principles of natural justice. [5]

Despite this erosion of individuals' rights, the government has provided no analysis of the current risk in the Designated Business and Community Precincts, the burden of the senior officer approval, or any other relevant factors justifying this further erosion of rights. Instead, the amendment is considered proportionate based on a nebulous reference to preventing harm and maintaining community safety. This is clearly inadequate and does not justify the further erosion of civil liberties.

Designated Business and Community Precincts

YAC is concerned about the application of the move-on powers to children who are rough sleeping in business districts while there is a significant lack of safe homes for these young people. Every day there are children sleeping on the streets who do not have access to safe and stable accommodation.

The move-on threshold of the child 'causing anxiety' is too low, particularly where these children may not have suitable accommodation available to them. Many of YAC's clients sleep in tents and in the open in parks and other public spaces and are vulnerable to being moved on from these places, and even subject to a banning order, without an alternative.

Youth crime in Queensland

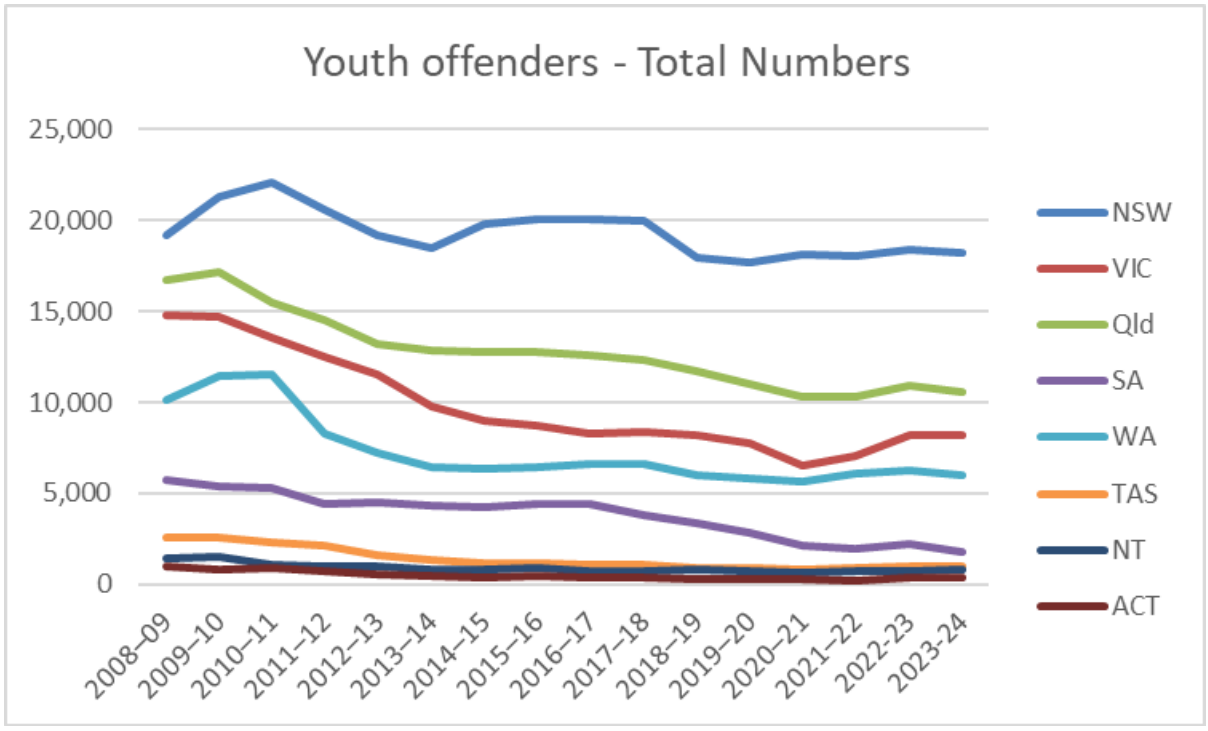
As outlined above, Queensland's youth crime data does not justify the exceptional circumstances need for a further override of the *Human Rights Act* 2019. Queensland currently incarcerates more children than any other state, currently around 310 per night – more than the New South Wales and Victoria youth detention numbers combined. Despite the high rate of incarceration Queensland still has one of the highest reoffending rates in Australia. It is clear that locking children up in Queensland's detention centres does not significantly reduce reoffending rates.

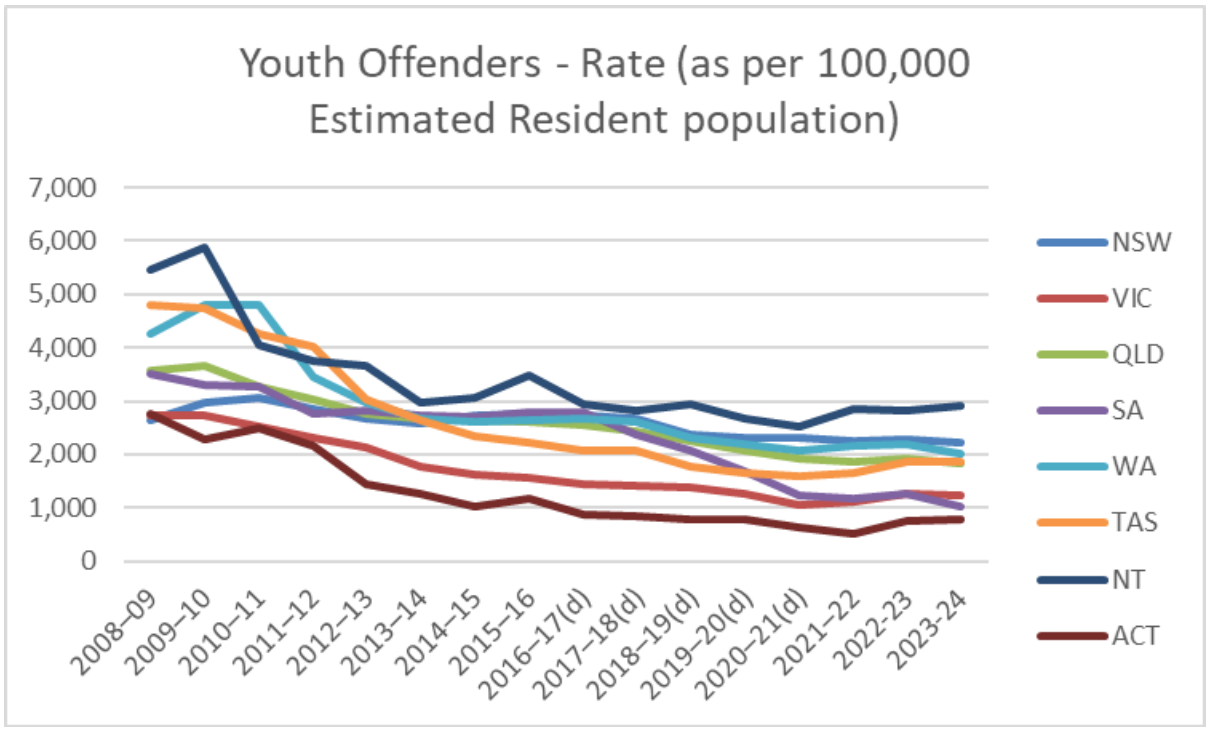
Extracted below are graphs created from the Australian Bureau of Statistics' data (released in September 2025) on youth offenders across Australia [6]

Figures 1 and 2 respectively show the total number of unique youth offenders (Source: Australian Bureau of Statistics)

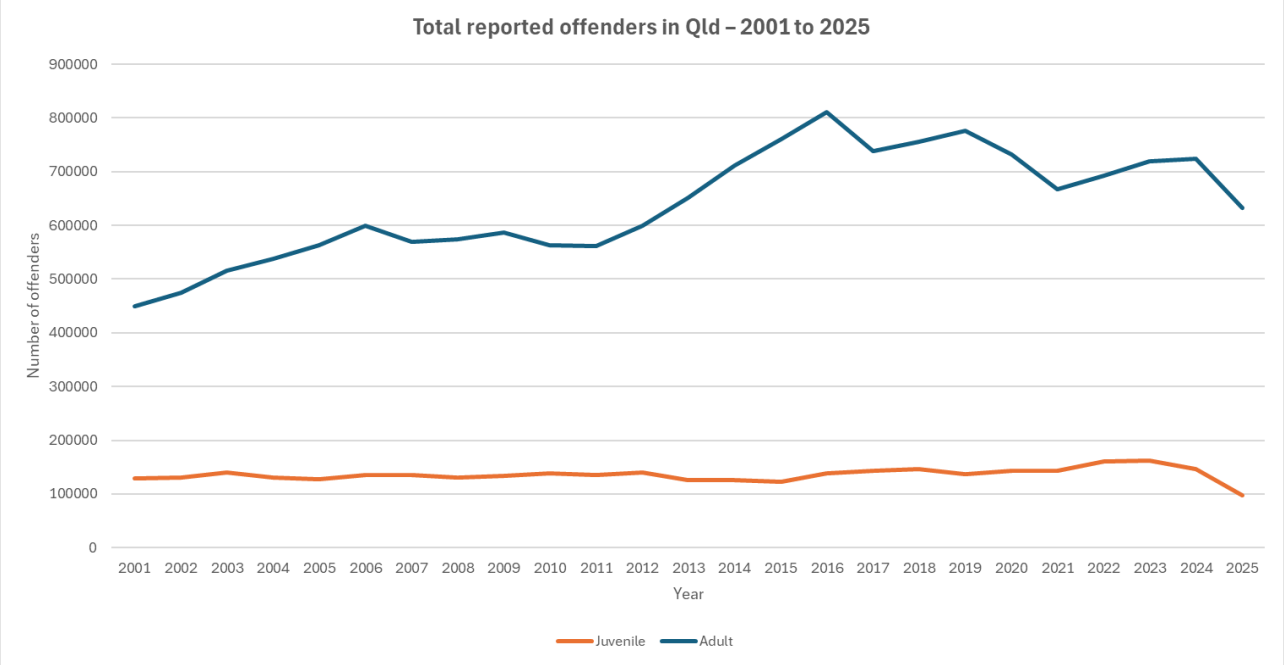
[5] Explanatory Notes for the Bill at page 9.

[6] Recorded Crime - Victims, 2024 | Australian Bureau of Statistics


Youth offenders - Total Numbers
25,000
20,000
15,000
10,000
5,000
0
2008–09
2009–10
2010–11
2011–12
2012–13
2013–14
2014–15
2015–16
2016–17
2017–18
2018–19
2019–20
2020–21
2021–22
2022-23
2023-24
NSW
VIC
Qld
SA
WA
TAS
NT
ACT


Youth Offenders - Rate (as per 100,000 Estimated Resident population)
7,000
6,000
5,000
4,000
3,000
2,000
1,000
0
2008–09
2009–10
2010–11
2011–12
2012–13
2013–14
2014–15
2015–16
2016–17(d)
2017–18(d)
2018–19(d)
2019–20(d)
2020–21(d)
2021–22
2022-23
2023-24
NSW
VIC
QLD
SA
WA
TAS
NT
ACT

Queensland Police Service data[7] also dispels that there are exceptional circumstances:



In any event, the underlying causes of youth offending must be addressed:

1. **Lack of a safe home:** Among YAC's client cohort there is an urgent need for safe housing. Children under 16 have very few options for emergency housing and often sleep rough rather than live in an unsafe home or a residential care facility. Young people in the youth justice system have very few housing options as providers choose lower-risk children to fill any rare openings in emergency or long-term housing. A lack of a safe home, or an unsuitable residential care placement, greatly increases the likelihood of offending.

2. **Mental health issues:** Many of YAC's clients have developmental delays and undiagnosed and untreated mental health conditions, including Foetal Alcohol Spectrum Disorder, ADHD, Autism Spectrum Disorder and psychosis. The failure to diagnose and treat these conditions is a root cause of youth offending and re-offending.

3. **Domestic and family violence:** the high rates of domestic and family violence in Queensland, particularly in regional and remote areas, are directly linked to youth offending. Without a safe and stable home the chance of a young people offending or reoffending increases dramatically.

The Queensland Government has a central role in addressing these complex and urgent issues. A humane society would address these matters in any event, but the potential to increase community safety provides a greater compulsion to do so.

[7] Maps and statistics | QPS

The Queensland Government was also party to the National Agreement on Closing the Gap in 2020. Outcomes relating to the above issues form part of this commitment to 'accelerate improvements in the lives of Aboriginal and Torres Strait Islander people'[8]:

- Outcome 9: Aboriginal and Torres Strait Islander people secure appropriate, affordable housing that is aligned with their priorities and needs.
- Outcome 11: Aboriginal and Torres Strait Islander young people are not overrepresented in the criminal justice system.
- Outcome 13: Aboriginal and Torres Strait Islander families and households are safe.
- Target 13: The rate of all forms of family violence and abuse against Aboriginal and Torres Strait Islander women and children is reduced at least by 50 per cent, as progress towards zero, by 2031. Baseline data and progress against target for Queensland1 6.4% women reported violence or threatened violence
- Outcome 14: Aboriginal and Torres Strait Islander people enjoy high levels of social and emotional wellbeing.

None of these outcomes are on track for achievement by the set completion date of 2032, further contributing to the overrepresentation of Aboriginal and Torres Strait Islander people in the justice system in Australia.

Queensland's youth detention centres are not working

The Queensland Government has declined to remedy some of the worst aspects of detention, namely the excessive use of lockdown and the use of separation rooms without basic amenities. Further, the government has committed to building the Woodford Youth Detention Centre – estimated to cost around $1 billion with completion by 2028 without humane separation facilities.[9]

Due to ongoing staffing issues, solitary confinement continues to be a serious concern within the state's detention centres. An internationally accepted definition of solitary confinement is the placement of a person in a locked room separate and apart from the normal routine of a facility for over 22 hours a day.[10] Such treatment is widely acknowledged as being damaging to children, who are less able than adults to cope with stressful situations and have lower impulse and emotional control. These characteristics are even more pronounced in the cohort of children held in detention.

In its November 2025 report, the Queensland Ombudsman raised serious concerns about the use of extended periods of separation and solitary confinement in Queensland detention centres.
A significant obstacle to addressing the high levels of separation and solitary confinement in Queensland's youth detention centres is the Queensland Government's continued downplaying of the use of solitary confinement (regardless of how it is named).

A recent and powerful example of the government's denial of the consistent use of solitary confinement of children in Queensland is contained in its response to Recommendation 8.3 of the *Disability Royal Commission Progress Report 2025*, which recommends prohibition of solitary confinement in youth detention. In its response, the Queensland Government stated that

[8] Australian Government Productivity Commission, Closing the Gap Information Repository: www.pc.gov.au/closing-the-gap-data/dashboard

[9] Combined inspection report for youth detention centres – November 2025 Queensland Ombudsman – page 125.

[10] Tamara Walsh, 'Solitary Confinement of Unsentenced Children in Queensland Watchhouses, and Why It Might Be Unlawful' (2026) 49(2) Melbourne University Law Review (forthcoming).

"*Queensland does not use solitary confinement practices*". This statement is misleading and deceptive.

The Wacol Youth Remand Centre, which is classed as a detention centre, is a large watchhouse that opened in late March/early April 2025 and has 76 beds with safe capacity of 64 beds. The centre offers no meaningful access to exercise or outdoor facilities, daylight or fresh air. Pleasingly, young people have so far provided positive reports on the education they received there in the first week or so of operation, but any serious rehabilitation or therapeutic supports are unlikely to occur in a watchhouse environment.

Psychiatrist Dr Michael Beech has given evidence in a human right complaint[11] that holding children in watchhouses was unlikely to deter them from reoffending, and that their ability to cope with watchhouse conditions declined after 2 days. In the first few months of 2026 there have been some children who have been held in the Wacol Youth Remand Centre – which is physically a watchhouse, for up to and over three weeks, with children as young as 13 held for up to two weeks.

Contrary to the intention of the Bill, detention does not act as a deterrent or reduce recidivism. In 2021-22, within 12 months of being released 91.26% of children returned to detention[12]. The Queensland Audit Office in 2024 reported that 53% of the young people it studied reoffended *within 2 weeks*. In the Cleveland Youth Detention Centre in Townsville, children are committing more serious crimes upon release than before they were detained[13]

Locking young people up for longer periods of time, particularly when not properly staffed, will not reduce serious offending, or make the community safer. Unless the conditions of these children's lives outside detention are improved the reoffending is likely to continue.

The cost of Queensland's failed detention system is huge. In 2023-24 Queensland spent $2,162 per day on each child in detention[14]. This amounts to around $790,000 per year per child, which totals around $220 million each year for 280 young people housed in Queensland detention centres. This cost is about to skyrocket, as the Woodford Detention Centre, due to be completed in late 2027/early 2028, is estimated to cost almost $1 billion.

Further, around 60% of young people who have experienced detention have gone on to adult prison[15] costing Queensland in terms of commission of crimes, the cost of prison, and the loss of productive members of society.

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[11] The hearing was for a case where three boys allege, among other things, that their human rights were breached in the Cairns watchhouse in 2021/22.

[12] Australian Institute of Health and Welfare (2023). Young people returning to sentenced youth justice supervision 2021-22, page 18. Retrieved from https://www.aihw.gov.au/reports/youth-justice/young-people-returning-to-sentenced-supervision/data.

[13] Question on Notice No 1177-2024 response to question asked on 10 December 2024.

[14] This is the lowest spend per child in Australia, with Victoria spending $7,775 per child per day. Figures are taken from the Federal Productivity Commission's Report on Government Services 2025 at Part F Section 17.

[15] Kinner, S et al, *Rates, causes and risk factors for death among justice-involved young people in Australia: a retrospective, population-based data linkage strategy',* The Lancet, Vol 10, April 2025 at p e277. The study examined Queensland data over 21 years for over 49,000 individuals who had experienced Queensland's youth justice system.

This Bill's intention is to increase the length of time that young people spend in detention. The Queensland detention system is failing to rehabilitate young people, despite its exorbitant cost. Future community safety will be compromised by the current government's failure to properly address the root causes of offending now, and victim numbers will not reduce.

Unclear laws

The Bill creates an unclear and inconsistent set of laws. The criminal justice system is complex for any person, but even more so for children. It is important that children in the system understand the laws with which they are required to comply. This Bill is the latest in a succession of rapid reforms to the Youth Justice Act, leaving children with little clarity. The Rule of Law requires criminal laws to be clear, understood and stable. Once the Bill is passed, when a child goes to the Childrens Court, they will be treated differently depending on whether their offence was committed after the various dates of assent of four pieces of legislation.

It is unclear why these new ACAT offences were not identified as ACAT offences at the time of the first or second amendments of the *Youth Justice Act* 1992. As a result of the piecemeal introduction of these offences, the courts, prosecution and defence lawyers need to be alert to the numerous transition dates for these offences, which has arguably resulted in a slowing down of the resolution of ACAT matters. This is not a clear, known and stable set of laws.

Taking into consideration the significant and acknowledged human rights breaches and implications for further incarceration of children, particularly Aboriginal and Torres Strait Islander children, YAC **recommends** for an independent review of the effectiveness and consequences of the amendments within 12 to 18 months of the implementation of the Bill.
Please let me know if you have any questions in relation to these submissions

Yours sincerely

Katherine Hayes

CEO

Youth Advocacy Centre

Appendix 1 – Griffith Youth Forensic Service

EVIDENCE BRIEF

Effectiveness of Griffith Youth Forensic Service (GYFS) in Reducing Sexual Recidivism Among Young People in Queensland

Executive Summary

This policy brief summarises key findings from a quasi-experimental evaluation of the Griffith Youth Forensic Service (GYFS). GYFS is a specialised treatment program for young people adjudicated for sexual offences in Queensland. The study examined administrative data from 1,489 young people processed between 2010 and 2024, comparing outcomes for 144 treated with 303 untreated comparable young poeple. Findings demonstrate that participation in GYFS significantly reduces reoffending, particularly sexual recidivism, reinforcing the value of specialised, evidence-based treatment services within Queensland's Youth Justice system.

KEY FINDINGS

- **Overall recidivism reduced by 34–44%.** Young people who received GYFS treatment were 1.6 to 1.8 times less likely to reoffend compared to similar untreated young people.
- **Sexual recidivism reduced by 78–90%.** The rate of sexual reoffending was up to 10 times lower among treated young people.
- **Non-sexual and violent reoffending also declined.** While reductions were smaller and sometimes not statistically significant, trends were consistently positive.
- **Methodologically rigorous evidence.** Advanced quasi-experimental methods, propensity score matching, inverse probability weighting, and Cox regression, controlled for confounding factors providing one of the most analytically robust studies on this specific topic to date.
- **Treatment mechanisms.** GYFS integrates cognitive-behavioural therapy (CBT), trauma-informed practice, and a multisystemic model addressing, individual, family, social, and contextual risk factors.

POLICY IMPLICATIONS

- Reinforce and expand specialised treatment capacity:
  - Evidence strongly supports continued and expanded investment in GYFS and similar services to ensure more eligible young people can access specialised intervention earlier.
- Integrate developmental and trauma-informed frameworks:
  - Addressing developmental, psychological, and ecological drivers of offending produces measurable benefits for community safety and rehabilitation.
- Embed evaluation within service delivery:
  - Ongoing program monitoring using administrative data and quasi-experimental evaluation designs should be institutionalised across youth justice services.
- Enhance culturally responsive service delivery:
  - Develop targeted strategies to improve referral, engagement, and cultural adaptation within specialised treatment models.
- Adopt evidence-based referral criteria:
  - Referrals should prioritise high-risk cases but align with clearly defined eligibility criteria to ensure equitable access and methodological integrity.

LIMITATIONS AND FUTURE DIRECTIONS

Follow-up was limited to the youth justice period; long-term adult outcomes remain unknown. Recidivism was measured using only proven offences. Future evaluations should include adult data, qualitative outcomes (e.g., wellbeing, family stability), and treatment engagement metrics.

GYFS WAS ESTABLISHED IN 2001 AND IS A PARTNERSHIP OF GRIFFITH UNIVERSITY'S CRIMINOLOGY INSTITUTE AND THE DEPARTMENT OF YOUTH JUSTICE AND VICTIM SUPPORT.

EVIDENCE BRIEF

UNIVERSITY

Effectiveness of Griffith Youth Forensic Service (GYFS) in Reducing Sexual Recidivism Among Youth in Queensland

RECOMMENDATIONS FOR POLICYMAKERS

POLICY AREA	RECOMMENDED ACTION
Program Funding	Sustain and expand funding for GYFS to meet demand and ensure statewide coverage.
Evaluation Infrastructure	Establish a longitudinal data-sharing framework between Griffith University and the Department of Youth Justice and Victim Support for continuous evaluation.
Cultural Responsiveness	Co-design culturally specific interventions with Aboriginal and Torres Strait Islander communities.
Workforce Development	Maintain a model led by registered psychologists with ongoing supervision and professional training.
Cross-System Integration	Strengthen partnerships between youth justice, education, health, and child protection sectors to support holistic rehabilitation.

CONCLUSION

Griffith Youth Forensic Service provides a proven, evidence-based model for reducing reoffending among young poeple adjudicated for sexual offences in Queensland. The program's individualised, multisystemic, and research-informed approach delivers clear benefits for public safety, rehabilitation, and service equity. Continued government investment in specialised, trauma-informed interventions like GYFS represents a cost-effective and socially responsible policy direction for Queensland's youth justice system.

Source: Cale, J., Whitten, T., Perales, F., O'Shannessy, D., & Leclerc, B. (2025). A quasi-experimental evaluation of a specialized treatment service for youth adjudicated for sexual offences in Queensland, Australia. *Journal of Criminal Justice,* 99, 102462. https://doi.org/10.1016/j.jcrimjus.2025.102462

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